

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7026 OF 2017

Shri.Dattatraya R. Sawai

...Petitioner

Versus

Shri Amey Prabhakar Gokhale & Ors.

...Respondents

.....
Mr.Tejesh Dande i/b. Tejesh Dande & Associates for the Petitioner.
Mr.S.S.Kanetkar for the Respondents.
.....

CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: JUNE 29, 2017

P.C. :

1. Rule. Rule made returnable forthwith. By consent, petition is heard finally and disposed of at the stage of admission.
2. The learned counsel for the petitioner submits that the petitioner is 74 years old and he has prayed for expedite hearing of the application below Exhibit-5 in Special Civil Suit No. 449 of 2014, which is pending before the learned Civil Judge, Senior Division, Pune.
3. No order of the trial Court is challenged in this Writ Petition. The learned Civil Judge, Senior Division, Pune is not proceeding with the application below Exhibit 5 in Special Civil Suit No. 449 of 2014 and interim relief granted against the Municipal Corporation is continued.

4. I am of the view that it is appropriate for the petitioner to approach before the learned Civil Judge, Senior Division, Pune and the trial Court has to consider the application below Exhibit 5 and pass the order accordingly if any. Hence, Writ Petition is dismissed.

(MRIDULA BHATKAR, J.)